

CASE 70187 #3

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Pamela Shirling  
Type or print name

*Pamela Shirling*  
Signature

October 3, 2005  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

CONFIRMATION NO. 1697

ZELLER, MARTIN

ART UNIT: 1754

APPLICATION NO: 10/537,408

EXAMINER: NOT YET ASSIGNED

FILING DATE: JUNE 2, 2005

FOR: PROCESS FOR THE PREPARATION OF  
PHENYLMALONIC ACID DINITRILES

**Mail Stop Missing Parts**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

The Notice to File Missing Parts of Application - Filing Date Granted dated September 27, 2005 (a copy of which is enclosed), has a shortened statutory time set to expire on November 27, 2005.

In response, applicant now submits an original or copy of a fully executed Declaration and Power of Attorney. Please charge the \$130 surcharge fee under 37 CFR §1.16(e) to Deposit Account No. 50-1676 in the name of Syngenta Crop Protection, Inc. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 50-1676 in the name of Syngenta Crop Protection, Inc.

10/11/2005 LLANDGRA 00000040 501676 10537408

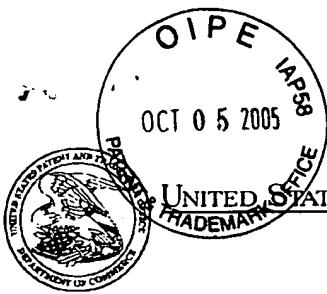
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USPTO Customer No. 26748  
Syngenta Crop Protection, Inc.  
Patent and Trademark Dept.  
410 Swing Road  
Greensboro, NC 27409  
(336) 632-7547  
Date: October 3, 2005

Respectfully submitted,

*Jacqueline Haley*  
Jacqueline Haley  
Attorney for Applicant  
Reg. No. 41,457



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

PCT

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,408	Martin Zeller	70187
INTERNATIONAL APPLICATION NO.		
PCT/EP03/13716		
I.A. FILING DATE	PRIORITY DATE	
12/04/2003	12/05/2002	

26748  
 SYNGENTA CROP PROTECTION, INC.  
 PATENT AND TRADEMARK DEPARTMENT  
 410 SWING ROAD  
 GREENSBORO, NC 27409

CONFIRMATION NO. 1697

371 FORMALITIES LETTER



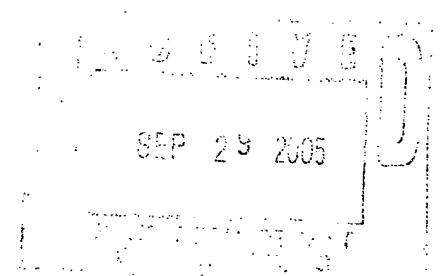
\*OC000000017101345\*

Date Mailed: 09/27/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/02/2005
- Copy of the International Search Report filed on 06/02/2005
- Information Disclosure Statements filed on 06/02/2005
- U.S. Basic National Fees filed on 06/02/2005
- Priority Documents filed on 06/02/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,**

**WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,408	PCT/EP03/13716	70187